

IAP2003-0101 PTO 11 JAN 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Jun CHENG, et al.  
Application No.: New PCT National Stage Application  
Filed: January 11, 2006  
For: WIRELESS TRANSMISSION APPARATUS AND MODULATION  
SCHEME SELECTION METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

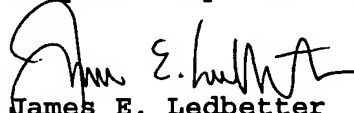
Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The H. MATSUOKA, et al. and JP '032 documents are discussed in the present application at page 2, line 1, et seq. The following are English equivalents to foreign patent documents: US262/JP531, US646/JP043, US934/JP164, US165/JP517 and US172/JP958.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

MAILED 11 JAN 2006

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: January 11, 2006

JEL/spp

ATTORNEY DOCKET NO. L9289.05205

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L STREET, NW, Suite 850  
WASHINGTON, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200

FORM PTO-1449 U.S. Department of Commerce  
(Rev. 4/92) Patent and Trademark Office**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

ATTY. DOCKET NO.

L9289.05205

SERIAL NO.

New PCT Nat'l Stage  
Application

APPLICANT

Jun CHENG, et al.

FILING DATE

January 11, 2006

GROUP

Unassigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004 0 0 3 7 2 6 2	02/2004	Tanada			
	6 7 3 8 6 4 6	05/2004	Miyoshi et al.			
	6 3 5 9 9 3 4	03/2002	Yoshida			
	2003 0 0 6 0 1 6 5	03/2003	Horisaki			
	2004 0 0 7 6 1 7 2	04/2004	Sano			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	2003 1 6 9 0 3 6	06/2003	JP				
	2003 0 6 9 5 3 1	03/2003	JP				
	2002 1 0 1 0 4 3	04/2002	JP				
	1 1 2 7 5 1 6 4	10/1999	JP				
	2003 1 1 0 5 1 7	04/2003	JP				
	2002 2 4 6 9 5 8	08/2002	JP				
	2001 1 0 3 0 3 2	04/2001	JP			Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PCT International Search Report dated November 9, 2004.

H. MATSUOKA, et al.; "An Analysis on the Performance of Variable Symbol Rate and Modulation Level Adaptive Modulation System," Technical Report of IEICE, RCS94-64, Sept. 1994, The Institute of Electronics Information and Communication Engineer, with English Abstract, pp. 31-36.

Y. HARA, et al.; "MC-CDM System for Packet Communications Using Frequency Scheduling," Technical Report of IEICE, NS2002-1001, RCS2002-129, July 2002, The Institute of Electronics, Information and Communication Engineers, with English Abstract, pp. 61-66.

S. MUNETA, et al.; "Performance of New Frequency-Domain Link Adaption Scheme for OFDM systems," Technical Report of IEICE, DSP99-166, SAT99-121, RCS99-171, Jan. 2000, The Institute of Electronics, Information and Communication Engineers, pp. 99-106.

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.